

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SW – Guntur District – Guntur Mandal and Town – Acquisition of land to an extent Ac.8.75 cts bearing T.S. No. 386 for providing house sites to weaker sections' people - Release of balance decretal charges as orders passed by the Supreme Court of India in CA No.106/99 and 108/99 in AS No.404/92 and 405/92 in OP No.165/84 and 166/84 - Orders - Issued.

SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No 837

Dated.11-12-2009.

Read the following:-

1. Collector, Guntur, Rc. No. 2980/08-G1, dated 26.02.2009.
2. Commissioner of Social Welfare, AP Hyd.
Lr.Rc.No.LA4/1808/2009, dated 30.04.2009.
3. Spl. Chief Secretary to Government and Chief Commissioner of
Land Administration's Lr. No. G2/673/2009, dated 09.07.2009

ORDER:-

In the reference 3rd read above, the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has stated that, the land to an extent of Ac.8-75 cents, bearing T.S.No. 386 of Guntur Town (Bongaralabeedu) was acquired by Land Acquisition Officer & RDO, Guntur, for providing of house sites to weaker sections's people and an Award No. 2/84, dated 05.02.84 was passed duly fixing the Market Value as Rs.20,000/- per acre along with Solatium @ 15% and interest 4%. The claimants have received the compensation under protest and their claims were referred to the Court of the Principal Subordinate Judge, Guntur U/s. 18 of the Land Acquisition. Act. The Court have enhanced the land value from Rs.20,000/- to Rs.40/- per sq. yard (4,840 x 40 = Rs.1,93,600 per acre) along with statutory benefits in LAOP No. 165/84 & 166/84, dated.10-09-1991. As per the opinion of the G.P., the Land Acquisition Officer has filed an appeal before the Hon'ble High Court of A.P. and the claimants have also filed an appeal. Meanwhile, the claimants also filed E.P. No. 31/92 & 32/92 for payment of decretal amount enhanced by the Civil Court pending finalization of the appeals filed before the High Court.

2. The Hon'ble High Court have issued interim orders to deposit $\frac{3}{4}$ of the enhanced compensation in the Civil Court vide order in CMP No. 8781/92 in A.S. No. 405/82 in OP. No. 165/84 and CMP No. 8780/92 in AS. No. 404/92 in OP. No, 166/84, dated 18.06.1992. As per the interim orders of High Court, the Government have issued orders vide G.O.Rt. No. 672, SW Dept. dated 18.08.1992 for release of an amount of Rs. 19,52,519-35 in LAOP No. 165/84 and Rs.19,52,519-35 in LAOP No. 166/84 in order to deposit the amount in the Court of Principal Subordinate Judge, Guntur. The Hon'ble High Court have finally disposed off the appeals filed by the Government and Claimants on 08.08.1996, duly enhancing the compensation from Rs. 40/- per sq.yard to Rs. 75/- per sq.yard in AS No. 404/92 & 405/92. The Land Acquisition Officer has filed Civil Appeals against the orders of the Hon'ble High Court of A.P. before Hon'ble Supreme Court of India, New Delhi and the Court has disposed off the Appeals, duly reducing the compensation from Rs .75/- per sq. yard to Rs. 70/- per Sq. Yard, vide its order, dated 27.07.2004 in C.A. No. 106 of 1999 and 107 of 1999. Therefore, the Collector, Guntur District has requested for release an amount of Rs.1,13,02,896/- towards payment of balance decretal charges as per the orders of Supreme Court of India.

(PTO)

3. The Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad has, however, requested for release of an amount of Rs.1,08,03,040/- as per their Office calculations, to the Collector, Guntur District, towards payment of balance decretal charges as per orders of Hon'ble Supreme Court of India in C.A. No. 106 of 1999 and 107 of 1999.

4. After careful examination of the proposal of the Collector, Guntur District and the Spl. Chief Secretary to Government and Chief Commissioner of Land Administration, AP, Hyderabad, the Government hereby accord administrative sanction to the Commissioner of Social Welfare, AP, Hyderabad to release an amount of Rs.1,08,03,040/- (Rupees one crore eight lakhs three thousands and forty only) to the Collector, Guntur District, towards payment of balance decretal charges in respect of the land acquired to an extent of Ac. of 8-75 cents, bearing T.S.No. 386 of Guntur Town (Bongaralabeedu), Guntur District for providing house sites to the weaker section's people, as per orders of the Hon'ble Supreme Court of India in C.A. No. 106 of 1999 and 107 of 1999, dated.27-7-2004.

5. The amount of expenditure sanctioned at para (4) above shall be met from the provision available in the Budget Estimates for 2009-10 and debited to the following head of Account:-

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (08) – Acquisition of House Sites for weaker sections under INDIRAMMA Programme – 310 – Grants-in-aid 312 – Other Grants-in-aid”.

6. The Commissioner of Social Welfare, AP, Hyderabad, is directed to issue necessary proceedings to the Collector, Guntur District accordingly.

7. The Collector, Guntur District, is requested to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer concerned shall be held solely responsible.

8. This order does not require the concurrence of Finance (Exp.SW) Department as per the instructions issued vide their U.O. Note No.12869/196/A1/Exp.SW/2009, dated.22-5-2009 and U.O.No.15926/256/A1/Expr.SW/09, dated.17-8-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Commissioner of Land Administration, AP, Hyderabad.

The Commissioner of Social Welfare, AP, Hyderabad.

The District Collector, Guntur District.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.

The Accountant General, A.P, Hyderabad.

The District Treasury Officer, Guntur District.

The Finance (Exp.SW) Department.

Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER